

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:15-CR-58-07

v.

HON. ROBERT J. JONKER

DAVID CARL STEWART,

Defendant.

\_\_\_\_\_ /

**ORDER AFFIRMING REVOCATION OF ORDER OF RELEASE**

This Court issued a Revocation Order of an Order of Release (ECF No. 156), based on the government's motion (ECF No. 155) under 18 U.S.C. § 3145(a).

This matter was brought before the Court on March 24, 2016, for *de novo* review of the earlier release Order issued by a Magistrate Judge in the Eastern District of Michigan. The Court found on *de novo* review that the government established by clear and convincing evidence that no conditions of release would protect the safety of the community. The last time Defendant was on federal supervision (2012), he violated the supervision by committing the same kind of fraud he is charged with committing in this case. Moreover, the federal supervision was itself for a federal fraud conviction of the same type alleged here. Moreover, when Defendant was arrested on the warrant in this case, he was found with evidence of the same kind of fraudulent activity. He is currently facing charges from two local jurisdictions (Sterling Heights and Novi) for similar alleged activity. The Court further found by a preponderance of the evidence that no conditions would secure the

presence of Defendant for trial, considering the Defendant's successful efforts to avoid arrest for months in this case with at least the tacit support of people closest to him.

For these and other reasons more fully recited in open Court, the Court reaffirms its earlier order revoking the Magistrate Judge's release order. Defendant is ordered DETAINED, and shall remain in the custody of the United States Marshal Service pending trial of this matter.

Dated: March 25, 2016

/s/ Robert J. Jonker  
ROBERT J. JONKER  
CHIEF UNITED STATES DISTRICT JUDGE